

**FORTY-EIGHTH LEGISLATURE
FIRST SESSION, 2007**

February 20, 2007

Mr. Speaker:

Your **JUDICIARY COMMITTEE**, to whom has been referred
HOUSE BILL 580

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 1, line 21, strike "directive" and insert in lieu thereof "regulation, code, order or special order".

2. On page 2, line 3, after the period insert the following:

"A compliance order shall not be effective against any party other than the person against whom the compliance order is issued.".

3. On page 4, line 13, after the period insert the following:

"Any civil penalty assessed shall not begin to accrue until a compliance order becomes final, and in the event of an appeal to district court as provided in Subsection F of this section, any civil penalty assessed shall not begin to accrue until the district court enters a final judgment affirming the compliance order, unless the state engineer can demonstrate that failure to issue the penalty pending appeal to the district court will cause irreparable harm.".

Respectfully submitted,

Al Park, Chairman

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

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HJC/HB 580

Page 2

The roll call vote was 6 For 5 Against
Yes: 6
No: Foley, Rehm, Vaughn, Youngberg, Zanetti
Excused: Maestas, Martinez
Absent: None

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